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The Treaty on European Union

1. The German Constitutional Court has now given a favourable ruling on the Treaty on European Union (the Treaty of Maastricht). The last national ratification is now assured and the Treaty will enter into force on 1 November. It is important to stress, as President Delors has already done, that this is a cause for optimism. The implementation of the Treaty will help to offset some of the loss of public confidence which has resulted in the recent past from the economic downturn, the tragedy in Yugoslavia and the misunderstandings about the Treaty of Maastricht itself.

We have already sent to you the Commission's statement and a short reply to certain questions which may be raised by the press or public opinion. You will also receive a copy of the Commission's communication on the implementation of the Treaty which is expected to be agreed by the Commission before the Treaty enters into force.

In your general contacts you should emphasise the following points:

- the Maastricht Treaty has had a difficult birth but it is now alive and well and charts a course for the continued progress of European integration. The opening words of the Treaty indicate clearly the significance of this change:

"By this Treaty, the High Contracting Parties establish among themselves a European Union hereinafter called "the Union".

This Treaty marks a new stage in the process of creating an ever closer union among the peoples of Europe; in which decisions are taken as closely as possible to the citizen.

The Union shall be founded on the European Communities, supplemented by the policies and forms of cooperation established by this Treaty. ...";

- the three main parts of the Maastricht Treaty are the changes in the Treaty base for the continuing work of the European Community, including in particular the economic and monetary union; the creation of the common foreign and security policy of the Union (Title V, usually referred to as pillar II); and the creation of a new cooperation in the fields of justice and home affairs (Title VI, usually referred to as pillar III);

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Within the areas of European Community action

- the second stage of the economic and monetary union will commence on 1 January 1994. The Commission will propose very shortly the draft broad guidelines of the economic policies of the member states and of the Community (article 103) which will be examined by the European Council at the beginning of December. All the secondary legislation necessary for the launching of stage 2 of the economic and monetary union has already been put forward by the Commission in the form of drafts and will certainly be finalised before the end of the year;
- there will be an increased role for the European Parliament notably in the procedures for legislative co-decision (article 189B). The Parliament will also have a greater direct or indirect role of control, in particular by the creation of the mediator (ombudsman), and the right of inquiry;
- the Treaty formalises for the first time the principle of subsidiarity (article 3B). The Commission is already operating on this basis; in particular in the case of legislative proposals in areas which are not of our exclusive competence, the Commission services and the Commission itself are posing the question whether the action is best realised at Community level or not and in all cases we are asking the question whether the proposal is or is not excessively detailed;
- the Treaty involves modified or new competences in a number of areas, in particular social policy, education, training, youth, culture, public health, protection of consumers, transeuropean networks, industry, economic and social cohesion, research and technological development, environment, and development cooperation. The use of these new Treaty bases will be developed over a period of time.

In the areas of the Union

- the Treaty sets up the citizenship of the European Union, which adds certain rights and benefits for the citizens over and above their national citizenship but does not in any way affect that national citizenship;
- the Commission is fully associated with the common foreign and security policy and will endeavour to give the maximum added value to it, in particular by seeking to maximise the advantage of the diplomatic experience which the member states will bring to the new policy and the impact of the commercial and economic instruments of the Community. A key point which you should emphasise in your contacts is that under the new policy "joint action shall commit the member states in the positions they adopt;
- the Commission is also fully associated with the arrangements covered by cooperation in the areas of justice and internal affairs.

From November the Maastricht Treaty will be part of our basic "constitution". We intend to use it with discretion and with efficiency.